

FILED

DEC 23 2013

Clerk, U.S. District Court
District Of Montana
Missoula

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CYNTHIA ANN RICKFORD,

Defendant.

CR 11-95-BLG-DWM-CSO

ORDER

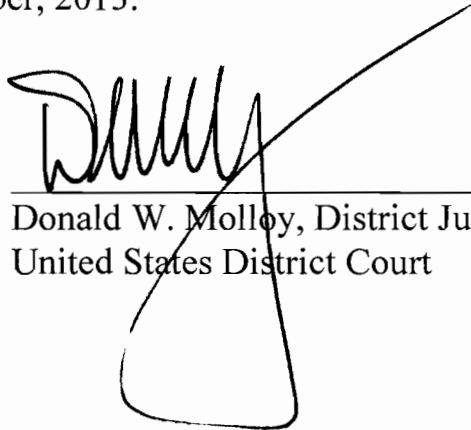
On December 6, 2013, United States Magistrate Judge Carolyn S. Ostby entered Findings and Recommendation with respect to the November 25, 2013 amended petition for revocation of Rickford's supervised release. (Docs. 144 and 149.) Although the parties were notified of their right to file objections to the Findings and Recommendation within 14 days, neither party filed objections. Failure to object waives the right to review. Fed. R. Crim. P. 59(b)(2). But consistent with the Court's "full authority" to review the Findings and Recommendations under any standard it deems appropriate, *Thomas v. Arn*, 474 U.S. 140, 154 (1958), the Court reviews for clear error. Clear error exists if the

Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Based on Rickford’s admissions to all of the alleged violations, Judge Ostby recommends supervised release be revoked. Judge Ostby further recommends this Court enter the proposed Judgment attached to her Findings and Recommendation (Doc. 149-1) and sentence Rickford to 9 months incarceration, with 9 months supervised release to follow. Judge Ostby also recommended that Rickford be placed at FCI Phoenix so that she may take advantage of the MINT program to assist with her pregnancy.

Accordingly, IT IS ORDERED that Rickford’s supervised release is revoked. Judgment will be entered by separate document.

Dated this 23rd day of December, 2013.



Donald W. Molloy, District Judge
United States District Court